

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



February 11, 2004

Regulation Package #0303-06

CDSS MANUAL LETTER NO. CCL-04-09

TO: HOLDERS OF THE COMMUNITY CARE LICENSING MANUAL, TITLE 22, DIVISION
12, CHAPTER 3, FAMILY CHILD CARE HOMES

Regulation Package #0303-06**Effective 1/9/04****Section 102368**

This manual letter has been posted on the Office of Regulations Development website at http://www.dss.cahwnet.gov/ord/FamilyChil_627.htm.

Current regulations that govern community care facilities are inconsistent in providing anti-discrimination protections for applicants seeking licensure or certification. These amended regulations provide consistent anti-discrimination policy for applicants by conforming to existing anti-discrimination laws.

These regulations were considered at the Department's public hearing held on July 16, 2003.

FILING INSTRUCTIONS

Revisions to all manuals are indicated by a vertical line in the left margin. The attached pages are to be entered in your copy of the Manual of Policies and Procedures. The latest prior manual letter containing Community Care Licensing changes was Manual Letter No. CCL-04-08. The latest prior manual letter containing Family Child Care Homes regulation changes was Manual Letter No. CCL-03-07.

Page(s)Replace(s)

12

Page 12

Attachments

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Article 3. APPLICATION PROCEDURES**102368 LICENSE****102368**

- (a) The license shall be available in the facility upon request.
- (b) The license shall not be transferred to other individuals or locations.
- (c) Any person 18 years of age or over may apply for a license regardless of age, sex, race, religion, color, political affiliation, national origin, disabilities, marital status, actual or perceived sexual orientation, or ancestry.
- (d) As a condition of licensure, the licensee shall comply with the requirements for training in preventive health practices, including pediatric cardiopulmonary resuscitation and pediatric first aid, as specified in Health and Safety Code Section 1596.866.

HANDBOOK BEGINS HERE

- (1) Health and Safety Code Section 1596.866 provides in part:

- (a) In addition to any other required training... each family day care home licensee who provides care shall have at least 15 hours of training on preventive health practices. The training shall include pediatric cardiopulmonary resuscitation, pediatric first aid, recognition, management, and prevention of infectious diseases, including immunizations, and prevention of childhood injuries. The training may include training in sanitary food handling, child nutrition, emergency preparedness and evacuation, caring for children with special needs, and identification and reporting of signs and symptoms of child abuse....

- (c) All personnel and licensees described in subdivision (a) shall complete 15 hours of preventive health practices training as described in subdivision (a) on or before January 1, 1995, and completion of the health training shall be a condition of licensure.

- (1) The department shall issue a provisional license for otherwise qualified applicants who are not in compliance with this section. This provisional license shall expire 90 days after the date of issuance and shall not be extended....

HANDBOOK ENDS HERE

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.81(b), 1596.866, and 1597.57, Health and Safety Code; and Section 51, Civil Code.

102369 APPLICATION FOR INITIAL LICENSE**102369**

- (a) To apply for a license to operate a family child care home, an applicant shall file a written application with the Department, on forms provided or approved by the Department.
- (b) The applicant shall provide all of the following information at the time of submission of the application:
 - (1) Name, address, telephone number and confirmation that the applicant is 18 years of age or over.
 - (2) Age and number of children to whom care will be provided.
 - (3) Name and age of every person residing in the home where care is to be provided.
 - (4) A statement that the applicant will comply with all regulations and laws governing family child care homes.
 - (5) When applying for a license as a large family child care home, substantiation that the provider has at least one year of experience as a regulated small family child care home operator; or one year of experience as an administrator or director of, or as a teacher at, a licensed child care center.
 - (A) Waiver of this requirement shall be considered by the director upon finding that the applicant has sufficient qualifying experience.
 - (6) A brief statement confirming that the applicant is financially secure to operate a family child care home for children. The Department shall not require any other specific or detailed financial disclosure.
 - (7) Evidence that the small family child care home contains a fire extinguisher and smoke detector device which meet standards established by the State Fire Marshal under Section 1597.45(d) of the Health and Safety Code or evidence that the large family child care home meets the standards established by the State Fire Marshal under Section 1597.46(d) of the Health and Safety Code.
 - (8) Pursuant to Section 102370(a), the fingerprints of any applicant for a family day care home license, and the following adults:
 - (A) Any person, other than a child, residing in the facility.
 - (B) Any person who provides care and supervision to the children.